

Senate Bill 451

By: Senators Kemp of the 46th, Thompson of the 33rd, Hamrick of the 30th, Grant of the 25th, Cagle of the 49th and others

A BILL TO BE ENTITLED  
AN ACT

To amend Article 9 of Chapter 5 of Title 16 of the Official Code of Georgia Annotated, relating to notice of conviction and release from confinement of sex offenders, so as to provide that notice of conviction and release of a person who is required to register as a sexual offender shall be made for offenders sentenced directly to probation or who are newly established residents in a county; to permit publication of such notice in the legal organ of the county in which such person resides based on information available; to amend Article 2 of Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to issuance, expiration, and renewal of drivers' licenses, so as to require annual renewal of a driver's license for registered sex offenders; to change certain provisions relating to the expiration and renewal of licenses; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Article 9 of Chapter 5 of Title 16 of the Official Code of Georgia Annotated, relating to notice of conviction and release from confinement of sex offenders, is amended by striking subsection (a) of Code Section 16-5-110, relating to the publication of notices and information required for registered sex offenders, assessment for costs, and certain immunity, and inserting in its place a new subsection (a) to read as follows:

"(a) When a person who has been convicted of a crime for which that person is required to register under Code Section 42-1-12 makes his or her first report to a sheriff after such person's release from confinement, placement on probation, or upon establishing residency in the county, the sheriff shall cause to be published a notice of conviction and release from confinement of such person. Such notice shall be published in the manner of legal notices in the legal organ of the county in which such person resides. Such notice shall be one column wide by two inches long and shall contain the photograph taken by the arresting

1 law enforcement agency at the time of arrest or a subsequent photograph, the name and  
2 address of the convicted person, and, if available, the date, time, place of arrest, and  
3 disposition of the case. The notice and shall be published at least once, and, at the sheriff's  
4 option, may be published more than once, in the legal organ of the appropriate county in  
5 ~~the second week following such person's release from confinement or as soon thereafter~~  
6 ~~as publication may be made.~~ The notice shall be published at or near the time the person  
7 registers with the sheriff and at such other time as deemed appropriate by the sheriff of the  
8 county in which such person is required to register. The notice shall include the address  
9 of the Georgia Bureau of Investigation website for additional information regarding the  
10 sexual offender registry."

## 11 SECTION 2.

12 Article 2 of Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to  
13 issuance, expiration, and renewal of drivers' licenses, is amended by striking subsection (a)  
14 of Code Section 40-5-32, relating to the expiration and renewal of licenses, and inserting in  
15 its place a new subsection (a) to read as follows:

16 "(a)(1) Except as otherwise provided in this Code section, every driver's license shall  
17 expire on the licensee's birthday in the fifth year following the issuance of such license.

18 (2) An applicant for a Class A, B, C, or M noncommercial driver's license who is under  
19 age 60 shall at the applicant's option apply for a license which shall expire on the  
20 licensee's birthday in the fifth or tenth year following the issuance of such license.

21 (3) Notwithstanding the foregoing, any Any commercial license that contains an H or X  
22 endorsement as defined in subsection (c) of Code Section 40-5-150 shall expire on the  
23 date of expiration of the licensee's security threat assessment conducted by the  
24 Transportation Security Administration of the United States Department of Homeland  
25 Security. ~~An applicant for a Class A, B, C, or M noncommercial driver's license who is~~  
26 ~~under age 60 shall at the applicant's option apply for a license which shall expire on the~~  
27 ~~licensee's birthday in the fifth or tenth year following the issuance of such license. Every~~  
28 ~~such license shall be renewed on or before its expiration upon application, payment of the~~  
29 ~~required fee, and, if applicable, satisfactory completion of the examination required or~~  
30 ~~authorized by subsection (c) of this Code section.~~

31 (4) An applicant who has been convicted of a crime for which that person is required to  
32 register under Code Section 42-2-12 shall be issued a license which shall expire on the  
33 licensee's birthday in the first year following the issuance of such license. Such license  
34 shall indicate the issuing and expiration dates or otherwise clearly indicate that such  
35 license is a one-year license.

1     ~~(2)~~(5) Except as otherwise provided by subsection (c) of this Code section, every  
2     veteran's or honorary license shall be valid until the holder reaches age 65 and shall  
3     thereafter be subject to renewal pursuant to paragraph ~~(1)~~(6) of this subsection on or  
4     before his or her birthday every five years. The department may allow a veteran or  
5     honorary license holder to retain his or her expired veteran's or honorary license as a  
6     souvenir.

7     (6) Every license shall be renewed on or before its expiration upon application, payment  
8     of the required fee, and, if applicable, satisfactory completion of the examination required  
9     or authorized by subsection (c) of this Code section.

10    ~~(3)~~(7) The commissioner shall issue such rules and regulations as are required to enforce  
11    this subsection."

### 12                                   **SECTION 3.**

13    This Act shall become effective on July 1, 2006.

### 14                                   **SECTION 4.**

15    All laws and parts of laws in conflict with this Act are repealed.